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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,681	10/29/2003	Patrick T. Case	4988-1	9829

22442 7590 06/23/2005

SHERIDAN ROSS PC  
1560 BROADWAY  
SUITE 1200  
DENVER, CO 80202

EXAMINER

DAVIS, CASSANDRA HOPE

ART UNIT PAPER NUMBER

3611

DATE MAILED: 06/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/697,681	CASE, PATRICK T.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Cassandra Davis	3611	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 17 June 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

This office action is in response to the amendment filed March 17, 2005.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-14 and 17-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Delaquila et al., U. S. Patent 5,832,643 in view of Griffin, U. S. Patent 6,216,375.

With respect to claims 1-3, Delaquila teaches display sign comprising a first panel element 32, a second panel element 34, and a third panel 36. The panels are adapted to be mounted onto a reader or support board 18/38. Each panel element has a semiotic element which is complementary to the semiotic element of the other panel elements such when all of the panel elements are mounted onto the support board 38 a substantially continuous message.

The support board taught by Delaquila has a plurality of tracks 18a-18d adapted to receive mating tracks on the back of the panel elements.

Delaquila does not teach the panel elements having a top and bottom edge capable of being engaged by track channels provided as part of reader board, wherein the panel element do not include any protrusions for engaging the track. In addition, Griffin does not teach the panel elements having partial portion of texture characters.

Griffin teaches sign decoration system comprising a display or reader board 1 comprising decorations 3, 49 and specifically 173. The reader board has a plurality of ledges 155, 161, and 167 defining upper and lower tracks channels. The decoration 173 is a planar element having a top and bottom edge capable of being engaged by track channels of the reader board.

In addition, Griffin teaches the panel elements can have both graphic and textual indicia thereon. See figure 32.

Since Griffin teaches the interchangeability of panel element with protrusions/connector on the back and panel elements without the protrusion/connector, It would have been obvious to one having ordinary skill in the art at the time this invention was made to construct the panel

element of the sign taught by Delaquila without protrusions or connects as taught by Griffin to provide panels which are easily stacked for storage and to provide panel elements which can span over a plurality of track on the support board.

With respect to claim 4-6, each panel element has a height of at least two tracks. (See figure 1).

3. With respect to claim 7-11, it is inherent that the message was designed to be attached to the panel element, then the message was attached to the panel element. After the message is attached to the panel elements, the elements are mounted onto the support or reader board 38.

4. With respect to claim 12-14, and 17, since the applicant does not disclose that full color graphic image solves any stated problem or is for any particular purpose, it appears that any suitable colored image would perform equally well in conveying a desired message.

With respect to claim 18, Delaquila teaches panel 36 has textual elements in the form "new year" and panels 32 and 34 have graphic images.

With respect to claim 19, the panel elements 32, 34, and 38 each span four rows track 18a-d.

Claims 15-16 and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Delaquila in view of Griffin as applied to claim 12 above, and in further view of Neuburger et al., U. S. Patent 4,505,061 is cited to show a graphic display comprising a plurality of panel elements 2. Each panel element is made of a transparent base sheet 3, a display sheet 4 having a portion of a map 8 disposed thereon and a transparent cover sheet 5 such that when a plurality of element are mounted a complete image of the map is displayed. It would have been obvious to one having ordinary skill in the art at the time this invention was made to construct the panel elements taught by Delaquila and Griffin with a transparent cover as taught by Neuburger to provide a means to protect the image on the panel element from damage.

### ***Response to Arguments***

5. Applicant's arguments with respect to claim 1 and 12 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE**

**FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cassandra Davis whose telephone number is 571-272-6642. The examiner can normally be reached on Monday-Friday 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley Morris can be reached on 571-272-6651.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Cassandra Davis  
Primary Examiner  
Art Unit 3611

CD  
June 20, 2005